

Revision Jan 2010

Calaveras County Fraud Investigation And Program Integrity For The IHSS Program Application Plan.

I IHSS Overpayments/Underpayments

For Quality Assurance activities, the CWHSA utilizes a QA/QI Monitoring Case Review Checklist document that is completed during the initial QA/QI case review. This document is utilized to not only capture data, but has been used to analyze case trends and any omissions or errors that would result in over or under assessing the correct amount of service hours for the consumer. The QA/QI Case Reviews will reduce the number of underpayments and overpayments before the case is authorized for IHSS services. Both overpayments and underpayments are identified by the IHSS Social Worker, IHSS Payroll staff, providers, recipients and the IHSS Public Authority staff. Once an overpayment is identified, the provider is contacted and arrangements are made for repayment. The Department of Health Care Services is notified via the medical complaint form, if the overpayment amounts to more than \$400. Once an underpayment has been verified, a special transaction is completed to produce a supplemental payment.

CWHSA Fraud Investigator conducts home visits, as part of the QA/QI process, to review IHSS renewal cases to ensure the eligibility of the IHSS recipient. Two home visits are conducted on a random sample of cases each month. During these home visits, the Fraud Investigator checks to ensure that Medi-Cal Share of Costs is being met. By performing QA/QI activities, such as checking assets and income, will reduce and or stop the occurrence of overpayments before they start.

Enclosure D includes information on the past causes of overpayments/ underpayments cases to establish a baseline for the county for outcome comparisons post 7/7/2010.

II Fraud Referral/Outcomes

Fraud referrals over \$500 are referred to the Calaveras County District Attorney's office. CWHSA's internal fraud investigator completes a preliminary investigation prior to referral to the DA to determine if there is enough evidence to prosecute. CWHSA Fraud Investigator is in the process of developing new IHSS Fraud policy and procedure guide for this program between the CWHSA and the Calaveras County District Attorney's Office which will set forth common goal/program integrity statements, give a definition of fraud, and explain the sources of fraud referrals. The goal is to achieve uniformity in the documentation of suspected fraud and to have program integrity by the use of an IHSS Fraud Reporting form for the IHSS unit, and for the initial referral from other sources. The IHSS Fraud Reporting form will be submitted to the Supervising Social Worker for review and then forwarded to the CWHSA Fraud Investigator.

Enclosure D includes information on the past fraud cases in order to establish a baseline for the county for outcome comparisons post 7/7/2010.

III Collaboration and Partnerships with DA's Office

The Calaveras County DA's office currently provides training for the CWHSA IHSS Social Workers at monthly Inter-Agency Disciplinary Team Meetings. CWHSA Fraud Investigator development of an IHSS Fraud Referral Form will be a tool that will be used by CWHSA Social Workers and staff, law enforcement agencies, the public, Public Authority staff, and other entities to provide information by which the CHWSA Fraud Investigator will have sufficient information to

provide the Calaveras County DA's office with suspected reports. This process will enable the DA's office to have sufficient information to prosecute suspected IHSS fraud.

IV Collaboration and Partnerships with DHCS and CDSS

The County currently collaborates with DHCS, doing joint referrals and investigations. There is a procedure in place to FAX any requests for information or for investigations to our County Investigator. We currently have two cases we are working on a joint prosecution and there are procedures in place. Referrals to DHCS are currently being tracked and the County Fraud Investigator verifies that the referrals are completed and returned to the CWHSA office. The CWHSA Fraud Investigator intends to collaborate with the CDSS on the audit error rate studies and on the unannounced home visits that will be conducted by the CDSS Fraud Department when an investigator is assigned to Calaveras County. Upon request from the County, CDSS provides ongoing fraud training and information.

V Mechanism for Tracking/Reporting

The County will track and report their outcomes of their efforts to investigate IHSS fraud and to promote integrity of the IHSS program. The county will submit to CDSS their final data for SFY 09/10 by August 1, 2010 which shall be shared at a later date with other participating counties. A new plan for Fraud Investigation and Program Integrity Efforts Related to the IHSS Program will be submitted each year on June 1st, which will include an updates to the previous year's plan, an agreement to continue tracking and reports fraud efforts and data. Final data will be reported to the SDSS on the required forms by August 1st of each fiscal year.

VI County's Current and Proposed Anti-Fraud Activities

As an Anti-Fraud Activity, the CWHSA Fraud Investigator will be developing a process to conduct Early Fraud activities, such as verifying assets and income, on all new IHSS cases that are approved for IHSS services to ensure eligibility of the IHSS applicants and therefore to stop fraud before it begins. There currently is a procedure in place for referrals of suspected fraud and these procedures will continue to be used by the IHSS Social Workers, CWHSA staff, other agencies, law enforcement, the public, etc to make suspected fraud referrals on IHSS applicants/recipients. Upon the receipt of the suspected fraud referral, the Fraud Investigator will conduct an investigation regarding the suspected fraud.

WIC Section 12305.71(c) (3) requires that counties monitor the delivery of supportive services in the county to detect and prevent potential fraud by providers, recipients, and others, and to maximize the recovery of overpayments and remedy underpayments. Information which is obtained through mandated QA activities is utilized to detect and prevent fraud and abuse; and to insure consistent assessment standards from county to county.

The CWHSA's Fraud Investigator utilizes a fraud/inquiry referral form, which provides for a standardized process for making referrals to the County's Special Investigation Unit (SIU) regarding potential fraud and/or program irregularities

If IHSS staff suspects fraudulent activities regarding a recipient or provider of IHSS, a referral is submitted to the SIU. The referrals given to SIU contain as much specific information as possible, such as the following:

- Copies of all time sheets submitted for payment, including signatures;
- Copies of paid warrants;

- Documentation related to suspected fraud; and
- A completed Fraud Referral form.

The IHSS Supervisor reviews the monthly 300+ hours report, indicating IHSS providers who worked more than 300 hours in the previous month. The IHSS Supervisor investigates any individuals on this list who may be questionable by contacting the provider to submit a work schedule. The IHSS Supervisor may also contact the recipient and/or their authorized representative to confirm that the provider in question is providing adequate services. If fraudulent activity is suspected, a report is made to the Special Investigations Unit.

The county plans to utilize the CWHSA Fraud Investigator who currently is doing IHSS QA activities to investigate potential reports of IHSS Fraud from IHSS workers, the public, IHSS recipients and providers. Information and data obtained from the above activities will be analyzed for possible trends based on errors due to overpayments/ underpayments.

VII County's Proposed Budget for Utilization of Funds

See attached "Budget Justification Form"

VIII Description of how the County will integrate Other program Integrity Efforts within the Plan.

The county will use the IHSS QA/QI Plan to incorporate the processes that are currently in place. And with the enhanced efforts of Fraud Investigation and Program Integrity Efforts Plan pursuant to the California State Budget Act of 2009, the County's Fraud Investigator will provide enhanced fraud training to IHSS Social Workers. The County's Fraud Investigator will coordinate efforts towards the expanded provider enrollment requirement pursuant to ACIN I-69-09 with the County's IHSS Public Authority by attending IHSS provider orientations to present fraud training to IHSS providers, and to assist with IHSS provider/recipient fingerprinting and background checks requirements.

Within 60 days of the receipt of the Fraud Investigation and Program Integrity Efforts funding, the County will augment their proposed IHSS Fraud Investigation and Program Integrity Efforts as outlined in the County Plan.

IX Annual Outcomes Report

The County will submit an annual outcomes report to the State by August 1st of each year, the activities, data and outcomes associated with the county's efforts to mitigate, prevent, detect, investigate and prosecute IHSS fraud during the previous fiscal year in the format provided by CDSS.

Budget Justification
CALAVERAS County's Fraud Funding Plan for FY 2009-10

Budget Section	Total
A. Personnel Costs (includes employee benefits)	\$ 27,901.00
B. Operating Expenses	\$ 0
C. Equipment Expenses	\$ 0
D. Travel/Per Diem and Training	\$ 0
E. Subcontracts and Consultants	\$ 0
F. Other Costs	\$ 0
G. Indirect Expenses	\$ 0
Total Expenses	\$ 27,901.00

A. Personnel Costs (including employee benefits)	Total Budget
Title: Welfare Fraud Investigator (35.2% of FTE) Salary Calculation: 35.3% of Salary and Benefits= \$27,901) Duties Description: Works in the Calaveras Works and Human Services Agency (CWHSA) Fraud Unit. By a random sampling of IHSS cases, conducts home visits. Performs Early Fraud activities. Works with the D.A. and local law enforcement agencies to bring fraud suspects to justice. Receives fraud referrals from other agencies, including law enforcements agencies, as well as from the public. Provides court testimony on behalf of IHSS Fraud Unit. Conducts fraud training to CWHSA personnel. Devotes 35.2% of time to IHSS Fraud Plan implementation and investigation activities.	\$ 27,901.00
Total Personnel Costs:	\$ 27,901.00
B. Operating Expenses	Total Budget
Title: Description:	\$
Total Operating Expenses:	\$ 0
C. Equipment Expenses	Total Budget
Title: Description:	\$ 0
Total Equipment Expenses:	\$ 0
D. Travel/Per Diem and Training	Total Budget

Title: Description:	\$
Total Travel/Per Diem and Training:	\$ 0
E. Subcontracts and Consultants	Total Budget
Title: Description:	\$
Total Subcontracts and Consultants:	\$ 0
F. Other Costs	Total Budget
Title: Description:	\$
Total Other Costs:	\$ 0
G. Indirect Expenses	Total Budget
Title: Description:	\$
Total Indirect Costs:	\$ 0

ENCLOSURE D

County: CALAVERAS

Overpayments identified by County QA		04/05	05/06	06/07	07/08	08/09
Total Amount per Fiscal Year:		N/A	N/A	435	0	13,425
Number of Instances:		N/A	N/A	1	1	2
Breakdown of Causes	Provider:	N/A	N/A	1	1	1
	Recipient:	N/A	N/A	0	0	1
	County Error:	N/A	N/A	0	0	5
	Unknown:	N/A	N/A	0	0	0
	Other:	0	N/A	0	0	0

Underpayments identified by County QA		04/05	05/06	06/07	07/08	08/09
Total Amount per Fiscal Year:		N/A	N/A	0	0	0
Number of Instances:		N/A	N/A	0	0	1
Breakdown of Causes	Provider:	N/A	N/A	0	0	0
	Recipient:	N/A	N/A	0	0	0
	County Error:	N/A	N/A	0	0	0
	Unknown:	N/A	N/A	0	0	1
	Other:	N/A	N/A	0	0	0

Fraud Referrals/Outcomes		04/05	05/06	06/07	07/08	08/09
Number of referrals to DHCS:		N/A	N/A	0	0	0
Number handled locally by DA:		N/A	N/A	0	0	0
Number of convictions:		N/A	N/A	0	1	0
Court Ordered Restitution:		N/A	N/A	0	9,957	0
Amount of funds involved in the convictions:		N/A	N/A	0	9,957	0
Amount of funds recovered:		N/A	N/A	0	4,536	0
Amount of funds pending recovery:		N/A	29,935	5,164	5,521	1,350
Basis for the Conviction:		N/A	N/A	0	0	0
Individuals Responsible	Recipient:	N/A	0	0	0	0
	Provider:	N/A	0	0	0	0
	County Staff:	N/A	0	0	0	0
	Other:	N/A	0	0	0	0
	Unknown:	N/A	0	0	0	0

ENCLOSURE D

Utilization of County DA for Fraud		04/05	05/06	06/07	07/08	08/09
Documented referrals to DA		N/A	N/A	0	0	0
Outcomes	Accepted:	N/A	N/A	0	1	0
	Rejected:	N/A	N/A	0	0	0
	Pending:	N/A	N/A	0	0	0
	Completed Investigation	N/A	N/A	0	0	0
	No Fraud:	N/A	N/A	34	40	30
	Restitution Action:	N/A	N/A	3	0	0
	Referred for Prosecution:	N/A	N/A	0	0	0
	Criminal Charges Filed:	N/A	N/A	0	0	0
	No Charges Filed:	N/A	N/A	0	1	0
	Convictions:	N/A	N/A	0	0	0
	Acquittals:	N/A	N/A	0	0	0
	Dismissals:	N/A	N/A	0	0	0
	Pending Investigation:	N/A	N/A	0	0	0
	Restitution	N/A	N/A	0	0	0
	Court Ordered:	N/A	N/A	0	9,957	0
	Restitution Action:	N/A	N/A	0	0	0
	Fines	N/A	N/A	0	Probation	Collecting
	Prosecutions Completed	N/A	N/A	0	1	0
	Convictions	N/A	N/A	0	1	0
	Misdemeanor	N/A	N/A	0	1	0
	Felony	N/A	N/A	0	0	0

ENCLOSURE D

DEFINITIONS

For purposes of program reporting, terms and concepts are defined as follows:

Documented Case Referral means:

Cases received through specified dates that substantially comply with the documented case referral protocol.

Documented Case Referrals are classified as:

Pending – cases awaiting review/case bank

Accepted – cases that are opened and assigned for investigation

Rejected – no further action will occur

Investigations

Investigation opened means cases in which an investigator or DDA has been assigned to a case.

Completed Investigation

Case is closed by court action or deemed unsubstantiated.

Cases

Multiple defendant cases should be counted as single cases, not a separate case for each defendant unless the number or names of the individual defendants are specified.

Fines

Are defined as fines imposed by the court. Penalty assessments may be included. Do not include booking fees, probation supervision fees or restitution.

Provider fraud

Fraud perpetrated by IHSS services.

Recipient fraud

Fraud perpetrated by the IHSS recipient.

Enclosure B

CALAVERAS COUNTY RESONSE COVER PAGE

CALAVERAS COUNTY is requesting participation in the Enhanced Anti-Fraud Program and will submit a Plan and Data as described above, by November 1, 2009.

Calaveras County Board of Supervisor Approval

Approved on November 10, 2009, by the Calaveras County Board of Supervisors.

Name of Approver: RUSSELL L. THOMAS

Signature: 

Name of County District Attorney Representative: Jeffrey Tuttle, District Attorney

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